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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/730,783

12/07/2000

Sang Jin Oh

2832-0118P

8908

2292

7590

05/22/2006

BIRCH STEWART KOLASCH & BIRCH

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EXAMINER

OLSEN, ALLAN W

ART UNIT

PAPER NUMBER

1763

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Notice of Non-Compliant Amendment (37 CFR 1.121)</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/730,783	OH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Allan Olsen	1763	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 20 March 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☒ B. The listing of claims does not include the correct text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See attachment.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

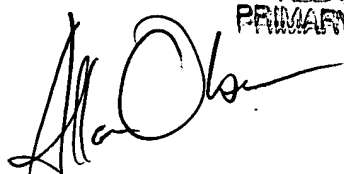
**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

\_\_\_\_\_  
Legal Instruments Examiner (LIE), if applicable

\_\_\_\_\_  
Telephone No.

***Response to Amendment***

In an effort to place this application in condition for allowance, on August 22, 2005 an examiner's amendment was agreed upon during a telephone interview between Mr. Webster and examiner Olsen. However, prosecution was continued with the non-final Office action of November 23, 2005 and the agreed upon examiner's amendment, to amend claim 1 and cancel claim 10, was never formally entered. The amendment filed March 20, 2006 treats claim 1 as though the agreed upon examiner's amendment had been entered and in so doing it amends a version of claim 1 that is not of record. With respect to claim 10, the amendment filed March 20, 2006 properly identifies claim 10 as being withdrawn, which is consistent with the status that was indicated in the Office action of November 23, 2006.

  
ALLAN OLSEN  
PRIMARY EXAMINER